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Tilte: Issue regarding Kachchatheevu Islet.

DR. M. THAMBIDURAI (KARUR): Madam Speaker, the submission of the Government of India before the Supreme Court of India on last Friday regarding the Kachchatheevu issue shocked the entire State of Tamil Nadu. The people of the State, especially the fishermen community, are totally agitated against the submission made by the Government of India. There is a great resentment and anguish among the fishing community in the State.

The hon. Chief Minister of Tamil Nadu, Dr. Amma filed a Writ Petition in the Supreme Court in 2008 urging the apex Court to declare the treaties signed between India and Sri Lanka on 26th June, 1974 as *null and void*. In May, 2013, the hon. Chief Minister passed a unanimous Resolution in the Tamil Nadu Legislative Assembly seeking the retrieval of this Islet.

The Kachchatheevu Islet has been an integral part of India since 1605. During the regime of the Nayaks in Madurai, the Ramanathapuram Principality was established, which consisted of this Islet also, among others. Since then, the Islet was considered as an integral part of the Ramanathapuram Zamindari ruled by the Sethupathis. There are enough documents in the Ramanathapuram Registrar's Office to prove beyond doubt that Kachchatheevu Islet was a part of the Ramanathapuram Zamindari. There are also documents to show that the then Governor of erstwhile Ceylon, in 1845, admitted that the Islet was a part of the Sethupathi Dynasty. All these facts go to show that Kachchatheevu was a part of the Indian Territory. So, historically, geographically and culturally, Kachchatheevu is a part of India.

However, in 1974, through an Agreement, they have given certain lights to the fishermen community. In 1976, when the boundaries were redrawn, at that time, Ceylon took advantage and treated that Islet as part of their own. They are not allowing our fishermen to go Kachchatheevu, stay there and have the right to fish in that area. This is a great injustice which the Sri Lankan Government has done to us.

You know very well that the Supreme Court, as early as in 1960, in *Berubari Case*, ruled that if any Indian territory is to be handed over to any other country, it should be ratified in the Parliament by way of a Constitutional Amendment under Article 368. But it has not been done and, therefore, handing over of Kachchatheevu is unconstitutional.

That being so, the Government of India, without understanding the true picture and without respecting the sentiments and feelings of the people of Tamil Nadu, made a submission before the Supreme Court that Kachchatheevu was not a part of the Indian territory. Factually, this is not correct. ...(*Interruptions*)

SHRI T.K.S. ELANGOVAN (CHENNAI NORTH): Sir, this is a very serious matter. The Government of India should immediately withdraw the affidavit which it has filed before the Supreme Court of India. ...(*Interruptions*)

DR. M. THAMBIDURAI : Let me complete my submission. ...(*Interruptions*)

SHRI T.R. BAALU : Madam, the Centre must react on this issue. We have taken up this matter several times in the past. They have committed heinous crimes against Sri Lankan Tamils and it is a matter of grave concern to all of us. The Centre must immediately withdraw the affidavit filed in the Supreme Court. ...(*Interruptions*)

MADAM SPEAKER: Do you want to speak on this issue? Okay.

...(*Interruptions*)

DR. M. THAMBIDURAI : Madam, the Centre should correct the affidavit filed before the Supreme Court regarding Kachchatheevu Issue. Kachchatheevu is a part of the Indian Territory and they will remain a part of the Indian Territory. The Centre must protect us because it has been illegally given Kachchatheevu to Sri Lanka, against the wishes of the Indian Parliament. The Indian Parliament must approve that.

Therefore, I would request the Central Government to correct the affidavit filed before the Supreme Court to say that Kachchatheevu is a part of the Indian Territory. That is the only solution.

We all know how Sri Lanka is treating our Tamil Nadu fishermen. The fishermen community is suffering a lot, and many

letters were written by Hon. Chief Minister of Tamil Nadu to the Prime Minister also in this regard. You know about the pitiable condition of the Sri Lankan Tamils. Many Members have expressed their views on how they are treating us.

Therefore, the Central Government must take severe action and also get back Kachchatheevu, for which a unanimous Resolution was passed by the Tamil Nadu Legislative Assembly in 2013. I would request, once again, the Centre to see that Kachchatheevu is restored back to us, as it is a part of the Indian Territory. That is the only solution.

Otherwise, as you know, China is also creating a lot of problems for us. Even our Defence Minister has said recently that territory of China and India is not certainly safe. Then, how can you say that all are settled? Whatever territory we are having, China cannot claim that. In the same way, Kachchatheevu is also part of our Indian territory. â€¦ (*Interruptions*). Let the Minister react.

MADAM SPEAKER: Thank you so much...(*Interruptions*)

DR. M. THAMBIDURAI : Madam, it is a serious matter. Let the Government react. We have to protect our territory. That is our Defence. How can we secede the territory to the Sri Lanka? Therefore, I request the Government to react on that. ...(*Interruptions*)

MADAM SPEAKER:

Shri P. Lingam,

Shri Shivkumar Udasi,

Shri Ramesh Vishwanath Katti and

Shri A. Ganeshamurthi are permitted to associate with the matters raised by Dr. Thambidurai.

Thank you. Now, Shrimati Harsimrat Kaur Badal.

SHRIMATI HARSIMRAT KAUR BADAL (BHATINDA): Madam, can Ajnala ji speak on my behalf?

अध्यक्ष महोदया : अजनाला जी आप बोलिए ।